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EDUCATION WEEK

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Design Contracts For New Schools Snag Over Rights

Who Owns Intellectual Property Is at Issue

By Lynn Olson

Concerns over intellectual-property rights have thrown a wrench into contract negotiations between the New American Schools Development Corporation and many of its design teams.

As of last Thursday, more than three months after the nonprofit corporation announced the winners of its competition to design "break the mold" schools, four out of 11 contracts were still pending and others had been signed only recently.

Attempts to pin down in contractual language who will own the ideas developed as part of the design process have run into a "brick wall," in the words of one participant.

NASDC representatives, however, predicted that all but one contract would be signed by the end of last week.

They also said that work was proceeding as planned. "All it's holding up is that they're working on their own money, instead of our money right now," said C. Reid Rundell, the corporation's vice president of design-team operations.

But the negotiations have been rough for many design-team members, who expected to be focused solely on the work ahead by this point.

Edwin D. Campbell, the executive director of the Coalition of Essential Schools at

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Mary Pat Waldron

Harvey B. Cox speaks in front of "Rockville High" during a celebration of San Antonio's designation as the nation's first official America 2000 community.

As Cities Sign On, America 2000 Continues To Be Work in Progress

By Julie A. Miller

SAN ANTONIO—This city last week became the first in the nation to win the distinction of being an official America

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2000 community. To celebrate, the leaders of San Antonio 2000 gathered at "Rockville High," a fictional school that is part of a 1950's town in the Fiesta Texas theme park.

In some respects, the backdrop is suggestive of the status of America 2000, both nationally as well as in San Antonio.

It is an artfully rendered vision of an ideal American school frozen in time, just as America 2000 is a vision of the schools of the future. For today's students, though, neither bears much connection to the day-to-day realities of school in the 1990's.

Unlike the fake school, however, America 2000—launched 18 months ago by President Bush and Secretary of Education Lamar Alexander as a "crusade"

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Claims for Choice Exceed Evidence, Carnegie Reports

Most Parents Oppose Vouchers, Poll Finds

By Lynn Olson

Claims about the benefits of school choice "greatly outdistance the evidence," and most public school parents have little desire for such a system, according to a study to be released this week by one of the nation's most prominent education-policy experts.

School choice has emerged as one of the most vigorously discussed and aggressively pursued education innovations in the country. Thirteen states and many more school districts have adopted some kind of choice plan in the past five years. And the issue has gained further visibility in the current Presidential campaign.

But Ernest L. Boyer, the president of the Carnegie Foundation for the Advancement of Teaching and the author of the new report, said in an interview last week, "There's no question, when you look at what's going on, the claims seem to greatly outdistance the evidence, thus far."

Mr. Boyer's report, "School Choice," is based on a year-long study. Among other results, it found that 70 percent of parents with children in public school said there was no other public or private school to which they currently wanted to send their children.

In states where school choice has been adopted, it found, fewer than 2 percent of eligible parents participate in the pro-

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School Boards' Marks On Own Assessment Give Critics Credence

By Lynn Olson

School board members turn out to agree with many of the harsh judgments that have been leveled against them by a growing chorus of critics, a report to be released this week has found.

The Institute for Educational Leadership, a Washington-based think tank, based its report on self-assessment data collected from individuals serving on nearly 300 school boards in 16 states.

Board members gave themselves failing or barely passing grades in such core areas of governance as their influence on other decisionmakers, their ability to provide leadership and policy oversight, their involvement of parents and other community members, planning and goal-setting, and their commitment to assessing and improving their own performance.

Board members also said they involve themselves too much in the day-to-day management of schools and have weak pro-

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Legislative Redistricting Reshuffles Decks for Education

By Karen Diegmueller

During her 18 years in the Illinois House, Rep. Helen F. Satterthwaite has earned a reputation as a friend of education. But the Urbana Democrat, who has served on education committees throughout her tenure, may be in the race of her career.

As a result of a redrawn legislative map, Ms. Satterthwaite is pitted next week against another incumbent, Rep. Timothy V. Johnson, a Republican.

For the past decade, Ms. Satterthwaite has represented the cities of Urbana and Champaign, which are home to the University of Illinois. In the new district that was carved out by a Republican-majority commission, though, she has been left with only about 30 percent urban area in a region otherwise considered Republican turf.

The scenario is similar in districts across the country that have been redrawn on the

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basis of population shifts and partisan tinkering. Incumbents are squaring off, or have decided to step aside rather than seek the votes of an unfamiliar constituency. In some cases, they have already been defeated in primaries.

Next week, redistricting of the legislatures based on the 1990 Census will manifest itself in most states for the first time.

The outcome, according to experts, could prove pivotal to public education. The consequences are expected to be significant especially in states where the political balance is likely to shift and where school-funding formulas are at the top of the legislative agenda.

"The possibility of change in the educational arena is substantial," said Benjamin L. Ginsberg, the general counsel to the Republican National Committee.

Many political analysts believe that redistricting will radically change the face of state legislatures, if not in the 1992 election, then by the end of the decade.

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Also in the news

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Local school board elections next month will highlight the battle of minorities for equal representation.

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Business groups and educators are squaring off over fiscal-policy referendums on the ballots in several states.

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The elections may mean even more changes in the makeup of the committees that deal with education.

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Voters will be going to the polls to decide fiscal issues with major implications for schools in a number of local elections across the nation next week.
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Some drug-abuse researchers are questioning the validity of a new study purporting to show a sharp increase in student drug use this year.
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Going Metric?
Schools may find themselves going metric when a panel of the National Academy of Sciences unveils a draft of national standards for science education.
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'New Visions' in New York City
Fourteen teams representing a wide variety of agencies and professions have been awarded grants to plan innovative New York City public schools.
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Weighing Property Tax
Next week's gubernatorial elections may provide a significant signal of the public's willingness to consider alternatives to the property tax as a primary method of funding the schools. **Page 13.**

Girls on the Gridiron
A sacred tradition may be headed for radical change in Texas, where a statewide body has given the go-ahead for girls to try out for high school football.
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ACROSS THE NATION

STATES

Wis. Attorney General Says School Indian Nicknames May Violate Law

School nicknames that have Native American connotations could violate Wisconsin's antidiscrimination laws, and the state education department has the authority to decide which ones are not acceptable, State Attorney General James E. Doyle has said in an opinion.

The Milton school district was sued in 1990 by a resident who opposed the use of the term "Redmen" for the local high school. A Rock County Circuit Court judge ruled that the state department of public instruction lacks the authority to determine if such logos and team names violate antidiscrimination laws. Many schools in the state have Indian-related nicknames.

Mr. Doyle's opinion this month runs contrary to that ruling. He said that use of an American Indian logo, nickname, or mascot could strengthen a stereotype and create an intimidating or offensive environment that would help perpetuate discrimination.

Education department officials said that copies of Mr. Doyle's decision would be sent to all school districts, which would make the decision of whether to change any potentially offensive nicknames.

■ **A federal appeals court has dismissed a lawsuit brought by a former Ohio state school board member who claimed he was denied due process in being removed from his seat.**

The U.S. Court of Appeals for the Sixth Circuit, affirming a federal district court's decision, ruled that Gov. George Voinovich acted correctly in removing Paul Brickner from the state board.

Mr. Voinovich removed Mr. Brickner from the board in August 1991 after the state attorney general said that Mr. Brickner, by simultaneously holding a post as an administrative-law judge for the Social Security Administration, had run afoul of a state law prohibiting board members from having another "public position of trust or profit."

The three-judge appellate panel rejected Mr. Brickner's argument that he had been denied due process in being removed from the elected board office without a hearing. The panel said that Mr. Brickner had had several opportunities to present his case to state officials but had refused to use them.

■ **The Texas board of education this month pledged to maintain a high passing standard for its student assessment despite the failure of many students to pass the tests.**

To graduate from high school, students must score at least 70 percent correct on the tests of the newly beefed-up Texas Assessment of Academic Skills. The board last year considered lowering the standard for the mathematics test after thousands of students across the state were unable to attain that score.

A spokesman for the education department said that the board decided to endorse again the 70 percent standard for all the tests to let teachers, students, and parents know that it would not back down despite the high rate of failures. The board also turned down an effort to create a high school completion certificate to award to students whose test scores bar them from gaining the traditional diploma. ■

DISTRICTS

Appeals Court Finds Administrators Have Duty To Protect Students

Public school administrators have a duty to protect students from sexual misconduct by school employees, and they can be sued when they fail to stop abuse they knew about or should have known about, a federal appeals court has ruled.

A three-judge panel of the U.S. Court of Appeals for the Fifth Circuit ruled this month that the superintendent and a principal in the Taylor (Tex.) Independent School District must stand trial in a civil-rights suit stemming from the alleged sexual abuse of a 15-year-old girl by a high school teacher-coach.

The two administrators had appealed a U.S. District Court judge's refusal to dismiss them from the suit, which also includes the teacher as a defendant.

The appeals-court panel upheld the judge on Oct. 2 in *Doe* v. *Taylor Independent School District.*

The appeals court said that the administrators had received numerous reports that the teacher showed affection for girls in his class, as well as information about his alleged sexual relationship with the girl.

"School superintendents and principals have a duty to police the halls of our public schools to insure that schoolchildren, who are obliged to attend, have an opportunity to learn and study in a school environment free from sexual molestation and harassment," the court said.

"There is simply too much evidence" indicating the principal and superintendent knew of a pattern of misconduct by the teacher "to take this case away from a jury," the court added.

The Fifth Circuit ruling appears to conflict with other recent federal appeals-court decisions. For example, the U.S. Court of Appeals for the Third Circuit ruled in August that in most instances school officials are not liable for sexual abuse of students by other students.

■ **A federal appeals court has ordered the dismissal of a lawsuit against a Wichita, Kan., school principal who allegedly refused to hire a teacher he believed had "homosexual tendencies."**

The three-judge panel of the U.S. Court of Appeals for the 10th Circuit reversed a U.S. District Court judge who had ruled that the teacher's civil-rights lawsuit against the principal could proceed to trial.

The teacher was a regular substitute seeking to fill a full-time teaching vacancy at Wichita North High School in 1988. He did not get the job, and the principal allegedly told the school's social-studies director it was because of the teacher's "homosexual tendencies."

The substitute teacher is married and does not claim to be homosexual, but gay-rights groups backed his civil-rights lawsuit against the district. U.S. District Judge Patrick F. Kelly of Wichita last year ruled that homosexuals and perceived homosexuals are a "suspect class" entitled to added constitutional protection against discrimination. He declined to dismiss the teacher's suit.

In its Oct. 9 ruling in *Jantz* v. *Muci*, the appeals-court panel said Judge Kelly "broke new ground" by giving heightened protection to homosexuals. But the panel sidestepped the question of whether that holding was correct. The court instead ruled that the suit should be dismissed because the principal was legally immune.

The panel said that as of 1988, a "reasonable official" would not have thought it il-

A Scare Tactic

This Halloween, some children will leave their Dracula costumes and skeleton suits in the closet to dress up as something truly frightening—an endangered species.

Greenpeace International is urging schoolchildren to don the guises of vanishing species as part of its Help Save the Earth campaign.

Using its *P3* newsletter, which is distributed to thousands of schools nationwide, the group has signed up children to dress up as mountain lions, sharp-eyed falcons, and gray wolfs to publicize the plight of endangered creatures and to educate budding environmentalists about "Planet 3."

"Kids are passionate about their planet, and this will give them a chance to be an active part of the solution," says Jackie Kaufman, the director of the P3 program. Ms. Kaufman envisions trick-or-treaters lobbying their neighbors to support next year's reauthorization of the Endangered Species Act as they load up on goodies.

The *P3* newsletter chronicles the plight of gray whales being threatened by pollution, sea turtles that are drowning in shrimp-boat nets, and Stellar sea lions that are endangered by oil spills.

Loel Barr

"If animals in the U.S.A. could dial, they'd call 911," exclaims the newsletter, which comes equipped with a cutout mask of a gray wolf on the cover for an instant consciousness-raising costume. —J.P.

er corps is that it offers participants an alternative route to obtaining certification that is far quicker and less expensive than getting an advanced education degree. The only training required is an eight-week-long summer institute, held at the University of Mississippi. The classes are free, as is room and board at the university.

The institute's curriculum places the greatest emphasis on classroom-management skills, and less on pedagogical theory. Corps members say that the institute was generally effective, but add that they would have benefited from spending more time student-teaching.

In addition to the summer institute, the university also holds two follow-up workshops during the school year, and it has hired a full-time field director, Conn Thomas, a doctoral candidate at the school of education, to provide ongoing support to corps members. Throughout the year, Mr. Thomas talks with corps members over the phone and visits them at their placement sites, serving as a sympathetic ear and connecting them with needed resources.

Rate of Attrition

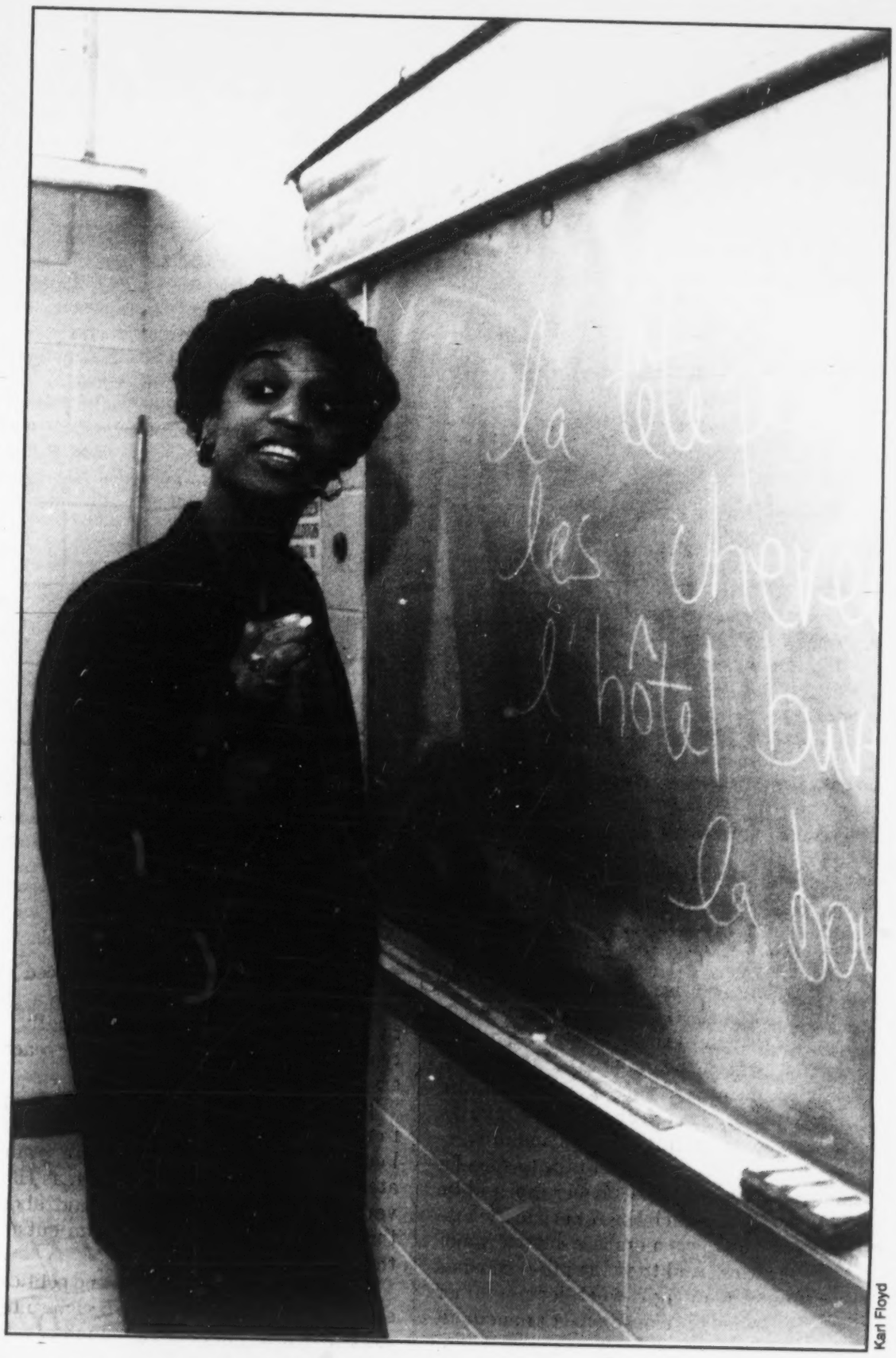
Of last year's 21 recruits, eight are still teaching in Mississippi public schools and one is teaching at a private school, according to Mr. Thomas, who has kept track of the 1991-92 recruits on an informal basis. Of the others, several are attending law school, and the remainder are working in other jobs outside Mississippi.

The state department of education does not keep records of the retention rate for first-year teachers, and cannot compare the corps's attrition rate with that of teachers who enter the profession through the traditional route.

While some participants view the program as the first phase of a lifelong career in teaching, many tend to view it as a way to give something back to society for a few years before they attend graduate school or move on to another profession.

"Even on the days when teaching is going well, this is not my place," observes Mr. Carruthers. "It's not something I imagined I was going to do forever. It's been interesting and all, but socially there's not enough for me to do, and some of the professional things are just too frustrating, [such as] dealing with kids who are not motivated."

A current corps member, Alexis O. Goltra, a social-studies teacher at the Weir Attendance Center, a K-12 school in Weir, expresses a similar sense of frustration. Although Mr. Goltra has found in Weir, a small town of about 500, "a genuine warmth that is really lacking up north," he says he doubts he will stay beyond his contracted year, because the cultural and social life there is "nonexistent."



Karl Floyd

After graduating from Yale University, Sonya L. Anderson returned to her home state to join up with the Mississippi Teacher Corps. "I try to instill some kind of thirst for knowledge in" students, she says. "But when you try to insist that they exert some kind of effort, it's like squeezing blood from a turnip."

Future Is Anyone's Guess

Despite the relatively small number of corps members who plan to teach in Mississippi for more than a year or two, program leaders say they are not disappointed. "Our number-one task is to bring very talented people into areas that are in need of teachers in specific areas," says Denton Gibbs, a spokesman for the teacher corps.

And within several years, predicts Andy Mullins, a spokesman for the state education department, the retention rate will increase. In the interim, he views it as a small operation that has successfully filled gaps in districts with chronic shortages, albeit on a short-term basis.

"We approach it a year at a time," he says. "We're to the point in some districts where we have to go with whatever we can get."

As one example, he cites a school district that had not had a physics teacher for three years until a corps member arrived in the fall of 1990.

Whether the program will even continue to exist next year, however, seems to be anyone's guess at this point. "It's done real well in the three years we have had it," Mr. Mullins says. "I would certainly hate to see it not funded next year. We need teachers in the Delta worse than we ever have before."

Meanwhile, many former and current corps participants are hopeful that the program will continue. One such individual is Elizabeth Rutherford, a corps member from last year who continues to teach 6th-grade social studies at Solomon Junior High School in Oxford. Although at times she wonders if she is "making a difference," she says, she has found tremendous satisfaction in her work and currently plans to study for a master's degree in teaching.

Last year, she recalls, toward the end of her first year of teaching, a student came up to her and said, " 'Mrs. Rutherford, I hope my sister gets you next year.' "

"You can't get a better compliment than that," she says proudly. "It made my day." ■

Q. How have students reacted to your TV appearances? Do you find it easier to keep them involved in class?

A. The students seem to think [the shows are] funny. It's on very late, but I think a lot of students watch it or record it. But I don't get any special treatment at school. If they already know me, I'm just the same old guy.

We already do experiments a lot in class. I don't spend every period goofing around with demonstrations, but if you can do one of those interesting things and use it as a hook to draw kids into the lesson, it's always good to do.

Q. How has your dedication to experimentation—and your appearance on the show—affected your teaching career?

A. I was lucky enough to get a government grant last year, so I teach three periods at school, and then I'm off to pursue other projects. I do some writing for a newsletter for science teachers, and I do work for my alliance—a network of chemistry teachers that meets monthly to share ideas.

I also do a lot of workshops in my free time. I just did a show for teachers at the Pittsburgh Science Museum. And in November, I'm involved in Chemistry Day in Chicago with 15 other teachers. We'll do demonstrations all day for the general public and students.

The groups I'm involved with try to give teachers some ammunition to use in the classroom. There's a general trend in science that people are doing all sorts of things to try to get kids more interested.

Q. After your stint on "Late Night," do you have any show business plans for the future?

A. I'm actually doing a series in Chicago. It's a science demonstration show for kids. We just shot our first show this fall, and we'll be shooting three or four more shows this year.

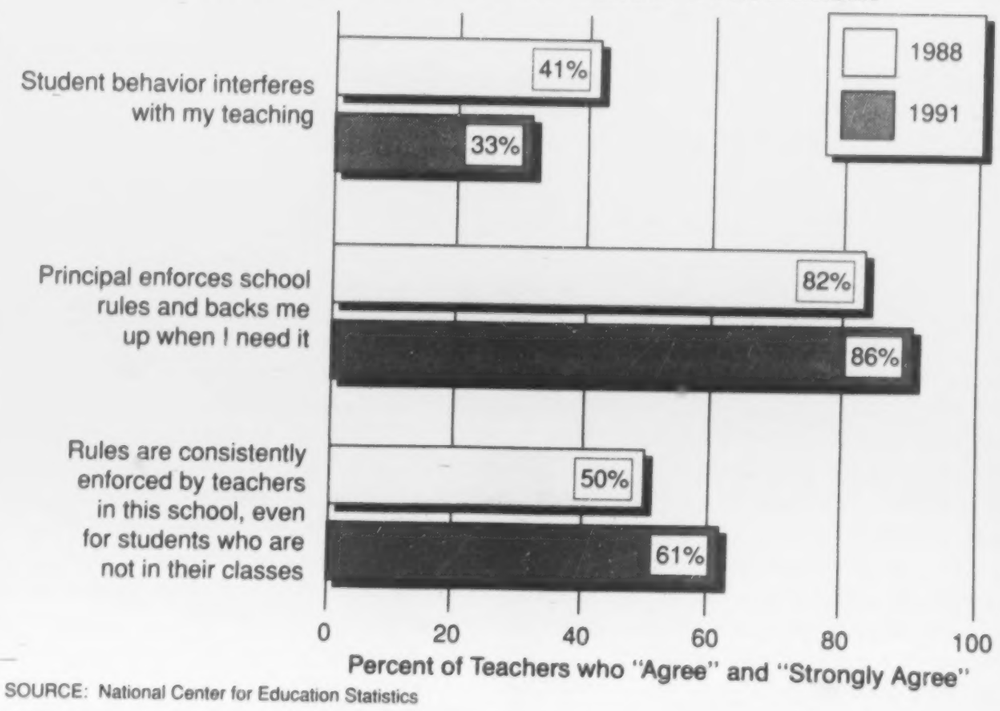
It's running on the ABC affiliate on Saturday in place of cartoons. It's a little bit of science and comedy.

And who knows if I'll go on ["Late Night"] again. There's really no schedule. All of my last five appearances were unexpected. ■

DIMENSIONS

Teachers and Discipline

Teacher Beliefs About the School Environment



SOURCE: National Center for Education Statistics

Carnegie Study Casts Doubt on Benefits, Public Desire for School-Choice Systems

Continued from Page 1

grams. *(See related story below.)*

Moreover, the report says, parents who transfer their children to another school do so mostly for non-academic reasons.

Contrary Findings

The 118-page report also contains the results of a new survey of more than 1,000 members of the general public on school-choice issues.

When given two options, 82 percent of the respondents said that the best way to improve public education is to strengthen all neighborhood schools by giving them the resources needed to achieve excellence. Only 15 percent believe that the best way to improve schools is by letting them compete for students.

Advocates of choice plans that involve private schools, including the Bush Administration and such researchers as John E. Chubb and Terry M. Moe, argue that the competitive pressures of a "free market" system are the best way of spurring improvements in public schools.

The Carnegie findings also counter those of a Gallup poll released last month by the National Catholic Educational Association. That survey found that seven out of 10 people responding would support a government-funded voucher system that enabled parents to send their children to public, private, or parochial schools. *(See Education Week, Sept. 23, 1992.)*

The Carnegie study also found that the public school parents surveyed opposed private school vouchers by a 2-to-1 margin.

Public-opinion polls about choice are notoriously tricky, with respondents' answers varying depending on how the questions are worded.

Mr. Boyer argued that previous surveys have left the trade-offs involved in choice plans "out of the equation" and thus have overstated the level of support. He suggested that the push for choice is coming "more from theoreticians and politicians" than from parents.

Timing of Release

The Carnegie president said it is entirely fortuitous that the release of the report comes just before the Presidential election and a vote in Colorado on a controversial voucher initiative. "I didn't think it had much to do with the political debate," he said.

Mr. Boyer, who served as U.S. Commissioner of Education in the Carter Administration, noted that President Bush, Gov. Bill Clinton, and Ross Perot all support school choice, although Mr. Clinton would limit such programs to public schools.

The Democratic and Republican candidates have aired their disagreements on private school choice both on the stump and in the recent televised debates.

Lambastes State Programs

The Carnegie study found that distance alone "rules out school choice for literally millions of children."

"And this says nothing about the quality of the next-closest school," it adds.

In the survey of more than 1,000 public school parents, one-fourth of the respondents said that the next-closest schools offering their children's same grade levels were from 10 to 80 miles away.

The study was based on site visits to three well-respected districtwide-choice systems (in Montclair, N.J., East Harlem in New York City, and Cambridge, Mass.); national surveys of parents, the general public, and all 50 chief state school officers; and scores of interviews with parents, students, teachers, and administrators in states with the most comprehensive choice plans: Minnesota, Massachusetts, Arkansas, Washington, Iowa, and Nebraska.

The findings are particularly critical of many statewide programs, which Mr. Boyer described as "swiftly and arbitrarily imposed."

In particular, the study found no signficant educational gains attributable to choice in the 13 states that have adopted open enrollment. The report also argues that such plans will widen the gap between the privileged and the disadvantaged as long as funding disparities between districts remain.

And it says that most state choice laws fail to require adequate consumer information about schools or adequate transportation among districts.

The report also takes aim at the nation's only publicly funded voucher experiment, in Milwaukee. Most private schools involved in the program, which took effect in 1990, thus far have failed to report academic results—let alone demonstrate gains. And the small-scale experiment has failed to spark broader improvements in the school system.

Mr. Boyer also stressed that a lack of public accountability in the system left some 150 pupils stranded in the middle of 1990-91, when one of the private schools closed amid questions about its finances and operation.

The report is more positive about the comprehensive districtwide-choice systems in Montclair, Cambridge, and District 4 in East Harlem.

"Under the right circumstances," it says, "districtwide-choice arrangements—those in which all children and parents can participate—can help revitalize schools, empower teachers and principals, and stimulate parents to consider which program is best suited to their children."

But Mr. Boyer cautioned: "It wasn't so much choice alone, but that the districts had to talk about their goals and keep talking about them to keep this thing going year by year. And if they saw weak schools, they had to go in and fix them."

With all of the work in East Harlem, he noted, only 38 percent of its students scored at or above grade level on standardized reading tests in 1992. And East Harlem now ranks 22nd out of the city's 32 community school districts.

'Supplement, Not Supplant'

Based on his findings, Mr. Boyer recommends that choice be used to "supplement, not supplant" the local network of neighborhood schools.

"The solution, we believe, is to focus choice not on a building but on the quality of education," the report states. "Instead of providing choice only among schools, why not create choices within schools?"

"What I am concerned about," Mr. Boyer said last week, "is that choice would be presented as the one strategy and would divert attention away from the need to keep each neighborhood school strong" and to address the many societal problems that affect the schools.

The report makes the following recommendations for the development of effective choice programs:

- Programs should not be arbitrarily imposed. Parents must be actively engaged in the planning and be well informed about the alternatives available to them.
- Transportation must be provided to students who need it.
- No statewide choice program should be established until a series of essential requirements, such as equitable funding, have been met, and all existing programs should be held to the same standards.

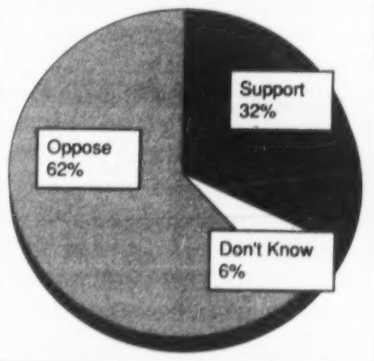
In general, Mr. Boyer said, choice should be embraced only if the nation's commitment to public education is "unequivocally reaffirmed."

The real agenda for school renewal, he asserted, is to insure that every school has the elements of a "good school" and those elements can be found in choice and non-choice settings alike.

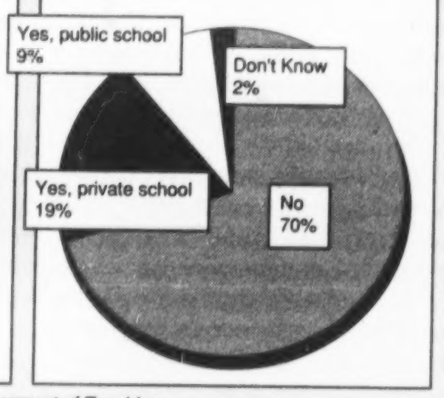
Copies of "School Choice" will be available in December and can be ordered for $8 each, plus postage, from California/Princeton Fulfillment Services, 1445 Lower Ferry Rd., Ewing, N.J. 08618; telephone: (609) 883-1759 or (800) 777-4726.

Views of Parents With Children in Public Schools

"Some people think that parents should be given a voucher which they could use toward enrolling their child in a private school at public expense. Do you support or oppose that idea?"



"Is there some other school to which you would like to send your child? This school could be public or private, inside or outside of your district."



SOURCE: Carnegie Foundation for the Advancement of Teaching.

3 States See Dramatic Rise in Open-Enrollment Participation

By Mark Walsh

Although the issue of public school choice has been overshadowed recently by the debate over private school vouchers, new figures released this month suggest that public open-enrollment programs are gaining in popularity among parents and students.

Three states that established open-enrollment programs in the past few years have reported dramatic increases this fall in the number of students choosing to attend schools outside their districts.

In Massachusetts, the number of students participating in the school-choice program has tripled since last year, from 921 to more than 2,800 this year.

In Iowa, more than 7,500 students have opted to attend public schools outside their home districts, up almost 50 percent over last year, while Nebraska's program has seen a 75 percent increase this fall.

Officials of public-school-choice programs say the increases are the result of more parents and students learning the details and potential benefits of the programs.

"It takes a while for people to become knowledgeable about [public school choice] and become comfortable with it," said Don Helvick, a consultant on open enrollment to the Iowa education department.

Seven states—Arkansas, Idaho, Iowa, Minnesota, Massachusetts, Nebraska, and Utah—have what most analysts consider comprehensive public-school-choice programs. Roughly six other states have more restrictive plans, such as an open-enrollment pilot program in Colorado and Ohio's plan allowing transfers between bordering school districts.

Enrollment in the programs is "inching along," said Chris Pipho, the director of state relations for the Education Commission of the States.

"If it is working well, it ought to naturally grow as more parents learn about it," Mr. Pipho said. "You should get a certain amount of up-creep based on keeping the same families enrolled. They, then, will tell their friends and relatives about it."

While less controversial than vouchers, some education experts take a dim view of open-enrollment programs. A new report by the Carnegie Foundation for the Advancement of Teaching questions the fairness and effectiveness of most of the established state plans. *(See story, page 1.)*

Minnesota Growth Anticipated

In Minnesota, the state that pioneered open enrollment in 1987, there have been major increases in the number of students choosing out-of-district schools in each of the last two years.

During the first two academic years of the program, when districts participated voluntarily, only a relative handful of students signed up—140 in 1987-88 and 350 in 1988-89. But after the program became mandatory for districts, the number of student participants rose to 3,200 in 1989-90, 5,940 in 1990-91, and 8,314 last year, according to the state education department.

The figures do not include transfers stemming from any of the state's several other choice programs or from separate agreements between districts, said Barbara Zahn, the enrollment-options specialist for the department.

No figures are available yet for this fall, but participation in the main open-enrollment program is expected to continue its upward trend, Ms. Zahn said.

In Nebraska, a rush of applications at the end of the last school year resulted in an increase in transfer students from 2,345 to 4,114 this fall, said Roger Hudson, the director of the enrollment-options program for the state education department.

"The numbers tell us that a good number of parents want their children to be a part of a junior high school or middle school program, but they may be in an elementary school district without that type of program," he said.

In Iowa, transfers between districts under open enrollment have resulted in the merger of some rural districts with their larger neighbors. This month, the Clay Central district agreed to merge with the larger Everly system after Clay Central lost nearly 14 percent of its 285 students to the choice program.

'Here To Stay'

In Massachusetts, as in most states with such programs, a portion of state education funding travels with students who transfer to other districts. As originally created in that state, sending districts were required to pay the receiving district for the full per-pupil cost of transfer students.

But some poorer districts were losing so many students, and with them their education dollars, that the Massachusetts legislature this year amended the program to cap per-pupil payments between districts at $5,000 and provide reimbursements of 50 percent to the sending districts.

The increased number of students in the Massachusetts program is due largely to a jump in the number of districts participating, from 32 last year to 55 this year. A key facet of the state's program is that districts can either agree or decline to accept outside students, but they cannot keep their resident students from leaving.

Peter McDonald, a policy analyst with Gov. William F. Weld's executive office of education, said more districts are signing up because of the obvious financial benefits of accepting outside students. Moreover, he added, "there is a sense among districts that the program is here to stay."

"There is a ripple effect going on," he added. "Communities are losing money as kids leave, so they decide to opt into the program."

Neither the Boston school district nor any of its surrounding suburban districts has entered the program, Mr. McDonald noted. Many suburban districts accept transfer students from the city, but charge stiff tuition to their parents.

"If we see some of those communities in the Boston metropolitan area opt in, then the numbers [of overall participants] will continue to rise," Mr. McDonald said. "If not, it will stabilize. Districts opting in will not be able to bring in students indefinitely, because they will run out of space."